

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

CR-08-00001-002

January 31, 2008
3:30 p.m.

UNITED STATES OF AMERICA -vs- LUIS KAIPAT PELISAMEN

PRESENT: HON. DAVID A. WISEMAN, DESIGNATED JUDGE PRESIDING
TINA MATSUNAGA, DEPUTY CLERK
SANAE N. SHMULL, COURT REPORTER
ERIC O' MALLEY, ASSISTANT U.S. ATTORNEY
LOREN SUTTON, ATTORNEY FOR DEFENDANT
LUIS KAIPAT PELISAMEN, DEFENDANT

PROCEEDINGS: MOTION TO MODIFY BAIL

Assistant U.S. Attorney Eric O'Malley appeared on behalf of the government. Defendant Luis K. Pelisamen was present with counsel, Loren Sutton.

Attorney Loren Sutton brought this matter before the court for a Motion to Modify Bail and Appoint a Third-Party Custodian. Attorney Sutton requested the Court release the defendant on an unsecured bond and to a third-party custodian. Government had no objection to the release of the defendant on an unsecured bond and being placed in the third-party custody of Shana Wabol Pelisamen.

Court granted the defendant's motion and found Ms. Pelisamen qualified to be a third-party custodian. The Court ordered the defendant be released on a \$25,000.00 unsecured bond and to the third-party custody of Shana Wabol Pelisamen under the following conditions:

1. The defendant shall submit to pretrial services supervision under the direction of the U.S. Probation Office;
2. The defendant shall surrender his passport and not obtain any passport or other travel documents;
3. The defendant shall refrain from possession of a firearm, destructive device, or other dangerous weapon, as defined by federal, state, or local law, or have such weapons at his residence;
4. The defendant shall avoid contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including his co-defendant Joseph Aldan Arriola;

5. The defendant shall refrain from the use or unlawful possession of a narcotic drug or other substances defined in 21 U.S.C. § 802, unless prescribed by licensed;
6. The defendant shall maintain his residence and not relocate without prior permission from the court;
7. The defendant shall not leave the island of Saipan without written permission from the court;
8. The defendant shall be released to the third-party custody of Shana Wabol Pelisamen; and
9. The defendant shall remain under Home Incarceration with electronic monitoring and may only leave his home for court appearances, meetings with his attorney or probation officer, medical emergencies, and church.
10. The defendant shall be accompanied by his third-party custodian at all times while away from his residence.

Court remanded the defendant back into the custody of the U.S. Marshal for the processing of release papers.

Adjourned at 3:40 p.m.

/s/Tina P. Matsunaga, Deputy Clerk